

Appl. No. 10/600,091
Amendment dated November 4, 2005
Reply to Office Action of July 5, 2005

REMARKS

Applicants have received and reviewed an Office Action dated July 5, 2005. By way of response, Applicants have amended claim 30 and canceled without prejudice claims 20-23. Claims 30-36 are pending. No new matter is addressed.

Reconsideration of the application is requested in view of the above amendments and the following remarks.

Claim Amendments

Claim 1 has been amended to recite an intermediate concentration cleaning composition with a concentration of about 15 wt-% or higher of a concentration cleaning composition. This amendment finds support in the specification at least at page 4, line 24.

Claim 1 has also been amended to recite a method for cleaning laundry wherein the "contacting, diluting, and treating" occurs in the same apparatus. This claim amendment finds support in the specification at least at page 7, lines 13-16.

As the amendments to claim 1 are supported by the specification, Applicants contend they are in condition for allowance. Notification to that effect is earnestly solicited.

Double Patenting Rejection

The Examiner objected to claims 20-23 under 37 CFR 1.75 as duplicates of claims 33-36. Applicants respectfully traverse this objection.

Without acquiescing to these arguments, and solely to expedite prosecution, Applicants have canceled without prejudice claims 20-23. As Applicants believe this rejection is now moot, Applicants request withdrawal of this objection.

Rejections of Claims Under 35 U.S.C. § 102(b)

The Examiner rejected claims 20-21 and 30-34 under 35 U.S.C. § 102(b) as anticipated by Farrington et al. (US Patent No. 5,219,370). Applicants respectfully traverse this rejection, and respectfully request further examination in light of the following arguments.

Applicants have canceled without prejudice claims 20-21. Therefore, the Examiner's rejection as to these claims is moot. Applicants respectfully request this rejection be withdrawn.

Appl. No. 10/600,091
Amendment dated November 4, 2005
Reply to Office Action of July 5, 2005

The Office Action asserts that Farrington et al. teach a method of washing fabric in a washer having a wash chamber. The Office Action states Farrington et al. teach a method of directing a recirculating spray of concentrated detergent solution onto said fabric for a first period of time, diluting said concentrated detergent solution to a lesser detergent concentration level, and then directing a recirculating spray of said lesser concentrated detergent solution from said wash chamber.

Farrington et al. do not anticipate the presently claimed invention because the apparatus that allows for application of a recirculated spray spatially separates the various steps disclosed by Farrington et al. (see Figure 3). Farrington et al. disclose a wash process wherein a highly concentrated detergent solution is directed onto fabric a first time, and then somewhat diluted detergent concentration is directed into a recirculation chamber and recirculated onto the fabric a second time (col. 2, lines 15-21.) As the Examiner recognized, the process disclosed in Farrington et al. requires the use of a recirculation loop separate from the wash basket (see Fig. 3).

In contrast, the presently claimed invention recites a method for cleaning laundry wherein the contacting, diluting, and treating the laundry with an intermediate concentration and diluted cleaning composition takes place in the same apparatus. The steps involved in the presently claimed method do not require use of a recirculation loop separate from the wash basket.

Farrington et al. do not anticipate the presently claimed invention because the presently claimed invention does not require a recirculation loop separate from the main cleaning apparatus.

Accordingly, Farrington et al. does not anticipate the presently claimed invention. Withdrawal of this rejection is respectfully requested.

Rejections of Claims Under §103(a)

The Examiner rejected claims 22-23 and 35-36 as obvious over Farrington et al. in view of Spendel (US Patent No. 4,489,455). Applicants respectfully traverse this rejection, and respectfully request further examination in light of the following arguments.

Applicants have canceled without prejudice claims 22-23. Therefore, the Examiner's rejection as to these claims is moot. Applicants respectfully request this rejection be withdrawn.

Appl. No. 10/600,091
Amendment dated November 4, 2005
Reply to Office Action of July 5, 2005

Applicants incorporate by reference their arguments regarding Farrington et al. made with respect to the previous rejection. The presently claimed invention is not obvious in view of Farrington et al. because the presently claimed invention does not require the use of a recirculation loop.

In addition, Spendel does not remedy the shortcomings of Farrington et al. Spendel discloses an apparatus and process for laundering textiles by "substantially evenly and completely" distributing wash liquor onto textiles (col. 4, lines 29-40.) Spendel fails to disclose the dilution of a concentrate. Spendel only discloses the use of a wash liquor and detergent compositions for use in a cleaning apparatus and process, wherein the wash liquor is in intimate contact with the textiles throughout the wash step (see col. 4, lines 21-40.)

The Office Action asserts that Spendel teaches a similar method of laundering textiles wherein the laundry detergent composition comprises fabric softeners, antistatic agents and antibacterial agents. However, Spendel teaches use of these auxiliary ingredients only as part of the "novel detergent composition" taught by Spendel (col. 31, lines 6-9). Spendel requires the softener or antimicrobial to be part of the detergent.

In contrast, the presently claimed invention suggests use of antimicrobial or finishing compositions as separate compositions distinct from a cleaning composition (page 17, lines 2-3). The presently claimed invention does not require that antimicrobial and finishing agents be combined with the cleaning composition (page 17, lines 1-5). An antimicrobial or finishing composition may be utilized by itself so long as it is independently capable of forming an intermediate concentration composition and a dilute composition (page 17, lines 1-5.) For at least this reason, the presently claimed invention is not obvious in view of Spendel either separately or in connection with Farrington et al.

Accordingly, for the foregoing reasons, the references cited in the rejection neither teach nor suggest the presently claimed invention. Withdrawal of this rejection is respectfully requested.

Appl. No. 10/600,091
Amendment dated November 4, 2005
Reply to Office Action of July 5, 2005

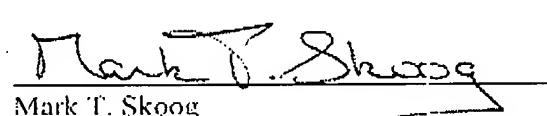
Summary

In summary, Applicants submit that each of claims 30-36 are in condition for allowance. The Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below, if the Examiner believes that doing so will expedite prosecution of this application.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: November 4, 2005



Mark T. Skoog
Reg. No. 40,178
MTS:tljk